

FORM PTO-1390
(REV. 01-2003)

US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
120822**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
New U.S. National Stage of PCT/JP03/03213**10/505147**INTERNATIONAL APPLICATION NO.
PCT/JP03/03213INTERNATIONAL FILING DATE
March 18, 2003PRIORITY DATE CLAIMED
March 18, 2002

TITLE OF INVENTION

CONTAINER-PACKED, OIL-IN-WATER TYPE EMULSIFIED FOOD PRODUCT AND METHOD FOR MANUFACTURE THEREOF

APPLICANTS FOR DO/EO/US

Hideaki KOBAYASHI, Masahiro ARIIZUMI, Yasuhiko SHIGEMATSU, Mitsuru TAKAMIYA, Hajime MATSUDA and Nobuhisa SAKABE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 - c. ☐ The International Application was filed in English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Transmittal of Power of Attorney

U.S. APPLICATION NO. 15/0461 (if known, see 37 CFR 1.57)
 New U.S. National Stage of
 PCT/JP03/03213

INTERNATIONAL APPLICATION NO.
 PCT/JP03/03213

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 120822

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor
 international search fee (37 CFR 1.445(a)(2)) paid to USPTO and
 International Search Report not prepared by the EPO or JPO..... **\$1,080.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
 but International Search Report prepared by the EPO or JPO..... **\$ 920.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
 but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... **\$ 770.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO but
 all claims did not satisfy provisions of PCT Article 33(1)-(4)..... **\$ 730.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO and
 all claims satisfied provisions of PCT Article 33(1)-(4)..... **\$ 100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than 30 months from the
 earliest claimed priority date (37 CFR 1.492(e)).

CALCULATIONS PTO USE ONLY

\$920.00

\$

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

\$

Total Claims 4- 20 = 0 X **\$ 18.00**

\$

Independent Claims 1- 3 = 0 X **\$ 86.00**

\$

MULTIPLE DEPENDENT CLAIM(S)(if applicable) + **\$290.00**

\$

TOTAL OF ABOVE CALCULATIONS =

\$920.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are
 reduced by 1/2.

\$

SUBTOTAL =

\$920.00

Processing fee of **\$130.00** for furnishing the English translation later than 30 months from
 the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$920.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
 accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$

TOTAL FEES ENCLOSED =

\$920.00

Amount to be
 refunded: \$

charged: \$

- a. ☒ A check in the amount of **\$920.00** to cover the above fees is enclosed.
 b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this
 sheet is enclosed.
 c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to
 Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.
 d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card**
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))
 must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

OLIFF & BERRIDGE, PLC
 Customer Number: 25944

Date August 20, 2004

NAME: James A. Oliff
 REGISTRATION NUMBER: 27,075

NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430